

Combined Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SUBSTITUTED PHENETHYLAMINE DERIVATIVES

the specification of which (check one)

[] is attached hereto;
 [] was filed in the United States under 35 U.S.C. §111 on _____, as
 U.S. Appln. No. _____ *; or
 [X] was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an international (PCT) application, PCT/JP00/00444 filed Jan. 28, 2000, entry requested on _____ *; national stage application received U.S. Appln. No. _____ *; §371/§102(e) date _____ * (* if known)

and was amended on _____ (if applicable).
(include dates of amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119 and 365 of any prior foreign application(s) for patent or inventor's certificate, or prior PCT application(s) designating a country other than the U.S., listed below with the "Yes" box checked and have also identified below any such application having a filing date before that of the application on which priority is claimed:

| 20523/1999 | Japan | 28/1/1999 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
|-------------------------|--------------------|-------------------------------------|---|-----------------------------|
| (Number) 283163/1999 | (Country) Japan | (Day Month Year Filed) 4/10/1999 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

I hereby claim the benefit under 35 U.S.C. §120 of any prior U.S. non-provisional application(s) or prior PCT application(s) designating the U.S. listed below, or under §119(e) of any prior U.S. provisional applications listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national filing date of this application:

| | | |
|-------------------|------------------------|--|
| (Application No.) | (Day Month Year Filed) | (Status: patented, pending, abandoned) |
| (Application No.) | (Day Month Year Filed) | (Status: patented, pending, abandoned) |
| (Application No.) | (Day Month Year Filed) | (Status: patented, pending, abandoned) |

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444

Direct all correspondence to the address associated with Customer Number 001444; i.e.,

BROWDY AND NEIMARK, P.L.L.C.

624 Ninth Street, N.W.

Washington, D.C. 20001-5303

(202) 628-5197

The undersigned hereby authorizes the U.S. Attorneys or Agents appointed herein to accept and follow instructions from YUASA AND HARA as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.

Page 2 of 2 Pages

Atty. Docket:

Title: SUBSTITUTED PHENETHYLAMINE DERIVATIVES

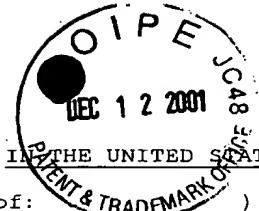
U.S. Application filed _____, Serial No. _____

PCT Application filed January 28, 2000, Serial No. PCT/JP00/00444

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|-------|---|--|-----------------------|
| 1-00 | FULL NAME OF FIRST INVENTOR <u>Hiroharu MATSUOKA</u> | INVENTOR'S SIGNATURE <i>Hiroharu Matsuoka</i> | DATE Aug. 20, 2001 |
| 2-00 | RESIDENT <u>Shizuoka, Japan</u> <u>JPX</u> | CITIZENSHIP Japanese | |
| 3-00 | POST OFFICE ADDRESS <u>c/o CHUGAI SEIYAKU KABUSHIKI KAISHA</u> of 135, Komakado 1-chome, Gotenba-shi, Shizuoka 412-8513 Japan | | |
| 4-00 | FULL NAME OF SECOND JOINT INVENTOR <u>Tsutomu SATO</u> | INVENTOR'S SIGNATURE <i>Tsutomu Sato</i> | DATE Aug. 20, 2001 |
| 5-00 | RESIDENT <u>Shizuoka, Japan</u> <u>JPX</u> | CITIZENSHIP Japanese | |
| 6-00 | POST OFFICE ADDRESS <u>c/o CHUGAI SEIYAKU KABUSHIKI KAISHA</u> of 135, Komakado 1-chome, Gotenba-shi, Shizuoka 412-8513 Japan | | |
| 7-00 | FULL NAME OF THIRD JOINT INVENTOR <u>Tadakatsu TAKAHASHI</u> | INVENTOR'S SIGNATURE <i>Tadakatsu Takahashi</i> | DATE Aug. 20, 2001 |
| 8-00 | RESIDENT <u>Shizuoka, Japan</u> <u>JPX</u> | CITIZENSHIP Japanese | |
| 9-00 | POST OFFICE ADDRESS <u>c/o CHUGAI SEIYAKU KABUSHIKI KAISHA</u> of 135, Komakado 1-chome, Gotenba-shi, Shizuoka 412-8513 Japan | | |
| 10-00 | FULL NAME OF FOURTH JOINT INVENTOR <u>Dong Ick KIM</u> | INVENTOR'S SIGNATURE <i>Dong Ick Kim</i> | DATE Aug. 20, 2001 |
| 11-00 | RESIDENT <u>Kyunggi-do, Republic of Korea</u> <u>KRX</u> | CITIZENSHIP Korean | |
| 12-00 | POST OFFICE ADDRESS <u>103-902 Wonhyo Apt., 599 Wanggok-dong, Uiwang-si,</u> <u>437-020 Kyunggi-do Republic of Korea</u> | | |
| 13-00 | FULL NAME OF FIFTH JOINT INVENTOR <u>Kyung Yun JUNG</u> | INVENTOR'S SIGNATURE <i>Kyung Yun Jung</i> | DATE Aug. 20, 2001 |
| 14-00 | RESIDENT <u>Kyunggi-do, Republic of Korea</u> <u>KRX</u> | CITIZENSHIP Korean | |
| 15-00 | POST OFFICE ADDRESS <u>103-1004 Keukdong Apt., 50 Maetan 2-dong, Paltal-gu,</u> <u>Suwon-si, 442-372 Kyunggi-do Republic of Korea</u> | | |
| 16-00 | FULL NAME OF SIXTH JOINT INVENTOR <u>Chan Hee PARK</u> | INVENTOR'S SIGNATURE <i>Chan Hee Park</i> | DATE Aug. 20, 2001 |
| 17-00 | RESIDENT <u>Kyunggi-do, Republic of Korea</u> <u>KRX</u> | CITIZENSHIP Korean | |
| 18-00 | POST OFFICE ADDRESS <u>129-1201 Jukong Apt., Hwanggolmaul 955-1, Youngtong-dong,</u> <u>Paltal-gu, Suwon-si, 442-470 Kyunggi-do Republic of Korea</u> | | |
| 19-00 | FULL NAME OF SEVENTH JOINT INVENTOR | INVENTOR'S SIGNATURE | DATE |
| 20-00 | RESIDENT | CITIZENSHIP | |
| 21-00 | POST OFFICE ADDRESS | | |

ALL INVENTORS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO EXECUTION. NO ALTERATIONS CAN BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SEEN BY ALL INVENTORS.



1010 Rec'd PCT/PTO 12 DEC 2001

Atty's Dkt: MATSUOKA=18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Application Division
Hiroharu MATSUOKA) ATTN: PCT
Serial No.: 09/890,219) Washington, D.C.
IA Filing Date: January 28, 2000) November 8, 2001
For: SUBSTITUTED PHENETHYLAMINE...)

#3

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC
'371

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING REQUIREMENTS..." dated October 12, 2001.

[XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information, filing date, and priority information.

[] Applicant claims small entity status. See CR 1.27.

[] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. '1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.

[] An Information Disclosure Statement with 1449 and references is also attached.

[] A Preliminary Amendment

[] An exact English language translation of the PCT application as originally filed.

[XX] Response to Sequence Listing Requirement.

[] Surcharge for late filing of English translation \$ 130.00

[XX] Surcharge for late filing of the Declaration was paid on July 27, 2001.

[] Surcharge for late filing of the Declaration in the amount of:
Small Entity Other than Small Entity
[] \$65.00 [] \$130.00

[] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

| Small Entity | Other Than Small Entity |
|------------------------|-------------------------|
| Response Filed Within | Response Filed Within |
| [] First - \$ 55.00 | [] First - \$ 110.00 |
| [] Second - \$ 200.00 | [] Second - \$ 400.00 |
| [] Third - \$ 460.00 | [] Third - \$ 920.00 |
| [] Fourth - \$ 720.00 | [] Fourth - \$1,440.00 |

Month After Time Period Set Month After Time Period Set

[XX] Conditional Petition for Extension of Time:
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$.00 s enclosed to cover the above fees.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

(202) 628-5197
By: 
Allen C. Yun
Registration No. 37,971

ACY:sfg